GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Allegation of corruption against Sri S.A. Basheer SIoP and Sri S.A. Ravoof, PC.318, formerly at South Traffic Police Station, Nellore Town – Convicted by Special Judge for SPE & ACB cases, Nellore–Punishment of dismissal from service imposed - Orders of Hon'ble High Court of Andhra Pradesh in Criminal Appeal No.04/2007 & 70/2007, Dt. 31.10.2018 - Cancellation of dismissal orders - Reinstatement in to service – Orders – Issued.

HOME (SC.A) DEPARTMENT

G.O.MS.No. 97 Dated: 31-08-2020.

Read the following:

1. From the DG, ACB Rc.No.51/RCT.NNL/2000, Dt. 29.9.2000.
2. G.O.Ms.No.375, Home (SC.A) Dept dt.07.12.2000,
3. G.O.Ms.No.376, Home (SC.A) Dept dt.07.12.2000,
4. Govt. Memo No.812/SC.A3/ 2000-3. Dated 16.11.2000.
5. Judgment dated 27.12.2006 in C.C.No.2/2001 of the Special Judge for SPE & ACB cases, Nellore
6. G.O.Ms.No.57, Home (SC.A) Deptt. Dated 28.3.2007
7. High Court orders in Crl Appeal. No.04/2007 & 70/2007, Dt. 31.10.2018.
8. From Sri S.A. Basheer, SIoP Representation Dated: 01.03.2019. .
9. From the DG, ACB Lr. 51/RCT.NNL/2000,dated:28.03.2019.
10. Govt. Memo No.23/SC.A/A2/2019-1,Home (SC.A) Department, dated:10.05.2019.
11. Orders dt.26.09.2019 in W.P No.14791/2019 filed by S.A. Basheer SIoP in Hon'ble High Court, Andhra Pradesh.
12. From the DG, ACB Rc.No.51/RCT.NNL/2000, Dt. 22.10.2019.
13. From the DG, ACB Rc.No.51/RCT.NNL/2000, Dt. 03.02.2020.

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ORDER:

In the reference 1st read above, the Director General, Anti Corruption Bureau, Andhra Pradesh, Hyderabad has recommended for prosecution of the A.O.1 & AO.2 i.e Sri S.A. Basheer SIoP and Sri S.A. Ravoof, PC.318, South Traffic Police Station, Nellore Town in the Court of Law under Sections 7 and 13(1)(d) r/w 13(2) of Prevention of Corruption Act.1988 also to initiate Departmental action against the said AO.1 for gross negligence of legitimate duty.

2. In the reference 2nd & 3rd read above Govt have issued orders according sanctioning for Prosecution against Sri S.A. Basheer SIoP and Sri S.A. Ravoof, PC.318, South Traffic PS, Nellore Town, in a Court of Law respectively.

3. In the reference 4th read above, Departmental action was initiated against Sri S.A. Basheer SIoP, South Traffic Police Station, Nellore Town.

4. In the reference 5th read above, the Court of Special Judge for SPE & ACB Cases, Nellore delivered the judgment on 27.12.2006 in CC No. 2/2001, convicting the A.O.1 & AO.2 Sri S.A. Basheer SIoP and Sri S.A. Ravoof, PC.318, formerly at South Traffic Police Station , Nellore Town and sentenced the AO.1 to undergo rigorous imprisonment for a period of six months and to pay a fine of Rs. 500/-, for the charge under section 7 of the P.C. Act, 1988, in default, to suffer simple imprisonment for one month also sentenced him to undergo rigorous imprisonment for a period of one year and to pay a fine of Rs. 500/-, for the offence under section 13 (2) read with 13 (1)(d) of the P.C. Act, 1988, in default to suffer simple imprisonment for one month also sentenced AO.2 to undergo rigorous imprisonment for a period of six (6) months and to pay fine of Rs. 500/- for the offence under section 12 of P.C. Act, 1988, in default, to suffer simple imprisonment for period of one (1) year and to pay a fine of Rs. 500/- for the offence under section 13(2) r/w 13(1)(d) of the P.C. Act, 1988, in default, to suffer simple imprisonment for one (1) month. Both the sentences of imprisonment were ordered to run concurrently. Accordingly, in the reference 6th read above, Government have issued orders imposing the penalty of dismissal from service against Sri S.A. Basheer SIoP and Sri S.A. Ravoof, PC.318, formerly at South Traffic Police Station, Nellore Town with immediate effect, as per rules in force.

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5. Aggrieved by the judgement of the trial court, Sri S.A. Basheer SIoP and Sri S.A. Ravoof, PC.318, South Traffic Police Station, Nellore Town have filed Criminal Appeal Nos. 04/2007 & 70/2007 before Hon'ble High Court of Andhra Pradesh. The Hon'ble High Court of Judicature of Hyderabad for the states of AP & Telangana, in its judgment dated 31-10-2018, had allowed the Crl. Appeals and set aside the conviction and the sentence imposed by the Trial Court ,Nellore for the offences under Sections 7 and 13(2) r/w 13(1)(d) of the PC Act, 1988 in CC No. 2/2001, vide Judgment dated 27-12-2006. Consequently, the appellants accused are acquitted of the said offences.

6. Meanwhile, Sri S.A. Ravoof, PC.318, formerly at South Traffic Police Station, Nellore Town (Dismissed from service) has attained the age of superannuation on 31.07.2012 A.N. In his representation Sri S.A.Basheer formerly SIoP dt.01.03.2019 while enclosing the orders of the Hon'ble High Court, Dt:31.10.2018, has requested the Government to cancel the Dismissal orders of the Government and to release all the consequential benefits to him at an early date.

7. In the reference 11th read above, the Hon'ble AP High Court of Andhra Pradesh while disposing the WP.No.14791/2019 filed by Sri S.A. Basheer with a direction to the respondents to consider the representation dt. 01.03.2019 of the petitioner and pass appropriate order thereon in accordance with law within a period of four weeks from the date of receipt of copy of this order.

8. In the reference 12th read above, the DG, ACB has informed that the Bureau has filed Special Leave Petition(criminal) Dairy No(s).28137/2019 in the Hon'ble Supreme Court of India. The Apex Court on 06-09-2019 has passed the order as follows:
'' We are not inclined to interfere with the judgement and order passed by the High Court. Consequently the Special Leave Petition is dismissed.''

9. Government after careful examination of the matter, have decided to implement the orders of the Hon'ble High Court of Andhra Pradesh and hereby order to cancel the dismissal orders issued in vide G.O.Ms.NO.57, Home (SC.A) Dept dt.28.03.2007 and to reinstate Sri S.A. Basheer SIoP formerly at South Traffic PS, Nellore Town into service w.e.f 28.03.2007 and deemed reinstate of Sri S.A. Ravoof, PC.318(Since he was retired on 31.7.2012) in to service w.e.f 28.03.2007.

10. The Director General of Police , Andhra Pradesh , Mangalagiri shall take further necessary action in the matter and compliance to the Government immediately and send necessary further proposals for release of pensionary benefits in respect of Sri S.A.Ravoof, PC.318, formerly at South Traffic Police Station , Nellore Town for taking further action if necessary.

11. This order issues with the concurrence Finance (HR.IV) Department vide their U.O.No FIN01-HR/118/2020-HR-IV (Computer No:1217396) Dated.31.08.2020.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

KUMAR VISHWAJEET
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Sri S.A. Basheer SIoP and Sri S.A. Ravoof, PC.318, formerly at South Traffic PS, Nellore Town through DGP,AP,Mangalagiri.
The Director General of Police, Andhra Pradesh Mangalagiri.
Copy to :
The Director General , ACB, AP,Vijayawada.
The Pay and Accounts Officer,Vijayawada,
The Accountant General, AP,Hyderabad.
The Director of Treasuries and Accounts AP,Vijayawada.
Law Dept. / Finance Dept. / M(Home)
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER(SC)